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December 15, 2014

## VIA ECF

Hon. Vernon S. Broderick, U.S.D.J.  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

Re: In re Keurig Green Mountain Single-Serve Coffee Antitrust Litig., MDL No. 2542;  
Joint Status Report Regarding Briefing for Keurig's Motions to Dismiss

Dear Judge Broderick:

We write on behalf of Defendant Keurig Green Mountain ("Keurig") and all plaintiffs<sup>1</sup> in response to Your Honor's Order issued on December 1, 2014 directing the parties to meet and confer regarding a briefing schedule and page limits for any motions to dismiss by Keurig and to file a joint status report by December 15, 2014 setting forth a proposed briefing schedule and page limits, or, if unable to reach agreement, identifying any disputes for the Court to resolve. *See* ECF No. 213. Keurig has indicated that it intends to file motions to dismiss against all complaints. Accordingly, Keurig and plaintiffs met and conferred on December 5, December 8, and December 11 regarding briefing issues, and are pleased to report that we have reached agreement on both a proposed briefing schedule and page limits for Keurig's forthcoming motions to dismiss.

<sup>1</sup> Counsel for all plaintiffs participated in the meet and confer sessions, including counsel for TreeHouse Foods, Inc., Bay Valley Foods, LLC, and Sturm Foods, Inc. (collectively, "TreeHouse"); JBR, Inc. ("JBR"); Direct Purchaser Plaintiffs ("DPPs"); and Indirect Purchaser Plaintiffs ("IPPs").

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We respectfully request that the Court enter an order adopting the parties' proposed schedule and page limits.

Briefing Schedule

Keurig and plaintiffs jointly propose the following briefing schedule in connection with Keurig's forthcoming motions to dismiss:

- Keurig will file its motions to dismiss and supporting briefs by February 2, 2015;
- Plaintiffs will file their opposition briefs by April 10, 2015; and
- Keurig will file its reply briefs by May 11, 2015.

This proposal reflects a compromise between the parties to allow the case to proceed promptly while ensuring that all parties have time to prepare their briefs, taking into account the number and size of the actions, and the holidays that fall in the parties' proposed briefing periods.

We respectfully request that the Court enter an order adopting the parties' proposed briefing schedule.

Page Limits

Keurig and plaintiffs jointly propose the following page limits for the memoranda of law to be filed in connection with Keurig's forthcoming motions to dismiss.

*TreeHouse*

- Keurig's Motion to Dismiss TreeHouse's Amended Complaint: 40 pages
- TreeHouse's Opposition Brief: 40 pages
- Keurig's Reply Brief: 17 pages

*JBR*

- Keurig's Motion to Dismiss JBR's Amended Complaint: 30 pages
- JBR's Opposition Brief: 30 pages
- Keurig's Reply Brief: 12 pages

*IPPs*

- Keurig's Motion to Dismiss IPPs' Amended Complaint: 30 pages
- IPPs' Opposition Brief: 30 pages
- Keurig's Reply Brief: 12 pages

*DPPs*

- Keurig's Motion to Dismiss DPPs' Amended Complaint: 25 pages
- DPPs' Opposition Brief: 25 pages

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- Keurig's Reply Brief: 10 pages

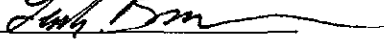
These proposed opening briefs are five pages longer than the opening briefs permitted in connection with Keurig's motions to dismiss the prior set of complaints with respect to all motions except the motion to dismiss the DPPs' amended complaint, for which no additional pages are proposed. Unlike the other plaintiff groups, which all added new causes of action, DPPs dropped several causes of action.

We respectfully request that the Court enter an order adopting the parties' proposed schedule and page limits as set forth above.

Respectfully submitted,

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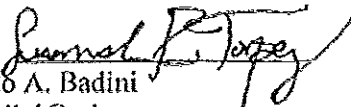
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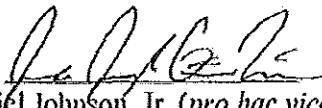
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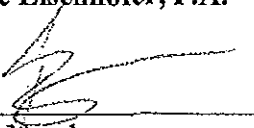
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